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The sealing requests herein will be resolved pursuant to the procedures and schedule set forth at Dkt. 916. The Clerk of Court is respectfully directed to terminate the instant letter motion at Dkt. 937.

April 28, 2025

Via ECF

The Honorable Andrew L. Carter
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

SO ORDERED:

04/29/2025

A handwritten signature in black ink, appearing to be 'R. Lehrburger', written over a horizontal line.

HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Re: *Hedgeye Risk Management, LLC v. Dale*, No. 21-cv-3687 (ALC) (RWL)

Dear Judge Carter:

On behalf of Defendants Darius Dale, Steven Lamar, and 42 Macro LLC, we respectfully seek permission to file under seal portions of two reply briefs in support of Defendants' *Daubert* motions to exclude Hedgeye's experts; one reply brief in support of Defendants' motion to strike the declaration and verified interrogatory responses of Daryl Jones; and associated exhibits.

Defendants do not believe sealing is warranted. We are seeking to seal these materials only at Hedgeye's request and pursuant to the Protective Order in this case, which requires Defendants to file under seal anything that Hedgeye continues to designate Confidential or Attorneys' Eyes Only. We will submit any sealing disputes with respect to these materials to Judge Lehrburger, following the schedule and procedures Judge Lehrburger has ordered. (Dkt. 916).

Respectfully submitted,

/s/ Jonathan P. Bach

Jonathan P. Bach